

HANTMAN & ASSOCIATES

ATTORNEYS AT LAW
1120 Avenue of the Americas
4th Floor
New York, New York 10036
(P) 212-684-3933
(F) 212-465-2192
www.Hantmanlaw.com

ROBERT J. HANTMAN
rhantman@hantmanlaw.com
New York, New Jersey, & Florida Bars

May 11, 2020

VIA ELECTRONIC FILING AND FAX

The Hon. Naomi Reice Buchwald
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

**RE: Inmate William McFarland, United States Marshal #91186-054;
Index #: 1:17-cr-00600-NRB-1; Request for Compassionate Release**

Dear Judge Buchwald;

Please accept this letter on behalf of William McFarland in response to the Governments Opposition to Mr. McFarland's April 14, 2020 Motion for "Compassionate Relief".

While the deplorable conditions at Elkton are indisputable and there is precedent- however limited- for the Court to grant the requested relief absent exhaustion of Administrative Remedies, Mr. McFarland has chosen, at this time, to pursue his remedies with the Bureau of Prisons ("BOP"), in which forum he can address the issues raised by the Government so that a more complete record can be compiled in support of a future motion, if necessary.

To support the existence of his preexisting medical conditions, Mr. McFarland intends to rely on, among other things, medical records from physicians whom he visited prior to being sent to Elkton and additional BOP medical records which he believes exist but were not submitted by the Government. However, obtaining such records have proved difficult due to limited communications with Mr. McFarland, existing medical privacy laws in conjunction with Mr. McFarland's incarceration, and simply that many medical facilities have limited hours and work forces due to the ongoing pandemic.

At present, Mr. McFarland has collected further facts relevant to Section 3553(a) Factors which ultimately support his requested relief. However, in an effort to put forth the most transparent representation of the relevant facts, he prefers not to refocus on those points at the present time, as he believes a full and total representation of the facts, is not only appropriate but necessary for the Court to make an informed decision on the relief requested.

Notwithstanding the foregoing, while carrying out the administrative appeals process with the BOP, Mr. McFarland hopes to work with the U.S. Attorney's Office and A.U.S.A Kristy J. Greenberg to fashion and facilitate a plan which addresses all of their arguments and concerns.

Such a plan could protect Mr. McFarland's welfare and risks to his life while addressing the concerns of the Government that any monies generated by his creative efforts can be applied to pending Orders of restitution, fines, and penalties.

We appreciate the Courts considering Mr. McFarland's Requested Relief and respect the Governments Opposition efforts but for the aforementioned reasons are respectfully withdrawing his Motion without prejudice at the present time.

Respectfully submitted

/s/ Robert J Hantman

Robert J Hantman